

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GAMETEK, LLC,

No. C 12-06184 RS

Plaintiff,

**CASE MANAGEMENT
SCHEDULING ORDER**

v.

GAMEVIEW STUDIOS, LLC,

Defendant.

Pursuant to Rule 16(b) of the Federal Rules of Civil Procedure, the parties attended a Case Management Conference on April 11, 2013. After considering the Joint Case Management Statement submitted by the parties and consulting with the attorneys of record for the parties and good cause appearing, IT IS HEREBY ORDERED THAT:

1. ALTERNATIVE DISPUTE RESOLUTION.

SETTLEMENT CONFERENCE. The parties are hereby REFERRED to a randomly assigned magistrate judge for the purpose of completing a settlement conference, ideally within the next sixty (60) days.

2. INITIAL DISCLOSURES. Initial disclosures shall be made by April 18, 2013.

3. DISCOVERY. Discovery related to claim construction shall be limited as follows: (a) 100 hours of non-expert depositions per party, with no one witness deposition lasting

1 more than seven (7) hours. Up to fifty (50) hours of testimony under Rule 30(b)(6) shall be
2 permitted per party; (b) twenty-five (25) interrogatories per party, including all discrete subparts;
3 (c) a reasonable number of requests for production of documents or for inspection per party; and
4 (d) a reasonable number of requests for admission per party.

5 4. DISCOVERY DISPUTES. Discovery disputes will be referred to a Magistrate
6 Judge. After the parties have met and conferred, the parties shall prepare a joint letter of not
7 more than 8 pages explaining the dispute. Up to 12 pages of attachments may be added. The
8 joint letter must be electronically filed under the Civil Events category of "Motions and Related
9 Filings >Motions--General > Discovery Letter Brief." The Magistrate Judge to whom the matter
10 is assigned will advise the parties of how that Judge intends to proceed. The Magistrate Judge
11 may issue a ruling, order more formal briefing, or set a telephone conference or a hearing. After
12 a Magistrate Judge has been assigned, all further discovery matters shall be filed pursuant to that
13 Judge's procedures.

14 5. FURTHER SCHEDULING. The dates proposed by the parties leading up to the
15 *Markman* Hearing are adopted as follows:

16 A. On or before April 25, 2013 Disclosure of Asserted Claims and Infringement
17 Contentions, and accompanying documents in the form and with the content required by Patent
18 L.R. 3-1 and 3-2 shall be served.

19 B. On or before June 10, 2013, Invalidity Contentions, and accompanying
20 documents in the form and with the content required by Patent L.R. 3-3 and 3-4 shall be served.

21 C. On or before June 24, 2013, the parties are to exchange claim terms needing
22 construction in the form and with the content required by Patent L.R. 4-1.

23 D. On or before July 15, 2013, the parties are to exchange proposed claim
24 constructions and extrinsic evidence in the form and with the content required by Patent L.R. 4-
25 2.

1 E. On or before August 9, 2013, the parties are to file a Joint Claim Construction and
2 Prehearing Statement in the form and with the content required by Patent L.R. 4-3, and disclose
3 expert witnesses to be used during claim construction.

4 F. On or before September 9, 2013, the parties are to complete claim construction
5 discovery in the manner set forth in Patent L.R. 4-4.

6 G. On or before September 23, 2013, plaintiff's Opening Claim Construction Brief
7 shall be filed pursuant to Patent L.R. 4-5(a).

8 I. On or before October 7, 2013 defendant's Responsive Claim Construction Brief
9 shall be filed pursuant to Patent L.R. 4-5(b).

10 J. On or before October 14, 2013, plaintiff's Reply Claim Construction Brief shall
11 be filed pursuant to Patent L.R. 4-5(c).

12 6. TUTORIAL. A tutorial for the *Markman* Hearing shall be held on **October 30,**
13 **2013 at 10:00 a.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450 Golden Gate
14 Avenue, San Francisco, California.

15 7. *MARKMAN* HEARING. A *Markman* Claim Construction Hearing shall held on
16 **November 6, 2013 at 10 a.m.** in Courtroom 3, 17th Floor, United States Courthouse, 450
17 Golden Gate Avenue, San Francisco, California. A further Case Management Conference will
18 be scheduled following this Hearing to set the remaining dates in this case.

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20 IT IS SO ORDERED.

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22 DATED: 4/11/13



RICHARD SEEBORG
United States District Judge

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27 CASE MANAGEMENT SCHEDULING ORDER
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